

**DECLARATION FOR PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

We believe we are the inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**"METHOD AND APPARATUS FOR BAG-TO-SET, BUFFERING REMEMBERED SET"**

the specification of which (check one)

- (X) is attached hereto.  
 ( ) was filed by an authorized person on my behalf on \_\_\_\_\_ as Application No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_.  
 (if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and so identified, and we have also identified below any foreign application for patent or inventor's certificate on this invention filed by us or our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed (Yes or No)</u>
			No

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred

between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint Coudert Brothers, a firm including J. D. Harriman II, Reg. No. 31,967 and Micah Goldsmith, Reg. No. 43,638, and Sun Microsystems, Inc., a corporation, including Kenneth Olsen, Reg. No. 26,493, Timothy J. Crean, Reg. No. 37,116, Joseph T. Fitzgerald, Reg. No. 33,881, Robert S. Hauser, Reg. No. 37,847, Alexander E. Silverman, Reg. No. 37,940, Anirma R. Gupta, Reg. No. 38,275, Sean P. Lewis, Reg. No. 42,798, Michael J. Schallop, Reg. No. 44,319, Bernice B. Chen, Reg. No. 42,403, Kenta Suzue, Reg. No. 45,145, Noreen A. Krall, Reg. No. 39,734, Richard J. Lutton, Jr., Reg. 39,756, Monica D. Ward, Reg. No. 40,696, Marc D. Foodman, Reg. No. 34,110, Naren Chaganti, Reg. No. 44,602, Elaine Lee, Reg. No. 41,936, Hugh H. Matsubayashi, Reg. No. 43,779, and Paul D. Sorken, Reg. No. 39,039 with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to COUDERT BROTHERS, 333 South Hope Street, Suite 2300, Los Angeles, California 90071, Telephone No. (213) 229-2900, Customer No. 23600.

Full name of inventor:

Bernd J.W. Mathiske

Inventor's signature:

Bernd J.W. Mathiske

Date:

02/02/2001

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Full name of inventor:

Ross C. Knippel

Inventor's signature:

Ross C. Knippel

02/02/2001

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Citizenship:

Address for Correspondence:

COUDERT BROTHERS

333 South Hope St., Suite 2300  
Los Angeles, CA 90071

## ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, I (We) the undersigned, **BERND J.W. MATHISKE**; and **ROSS C. KNIPPEL** hereby sell(s), assign(s) and transfer(s) to **SUN MICROSYSTEMS, INC.**, a Delaware Corporation, having a principal place of business at 901 San Antonio Road, Palo Alto, California 94303, ("Assignee"), its successors, assigns and legal representatives, my (our) entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, which is being filed concurrently herewith, and is entitled: "**METHOD AND APPARATUS FOR BAG-TO-SET, BUFFERING REMEMBERED SET**" and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application; agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has (have) been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Dated: 02/02/2001

Bernd J.W. Mathiske  
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Dated: 02/02/2001

Ross C. Knippel  
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